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The

01 P Bated: 7/21/08

Signature:

alerie J. Sarøsly)

Docket No.: ZIPH-009-102 (PATENT)

JUL 2 3 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Nickel et al.

Application No.: 10/686,809

Confirmation No.: 8786

Filed: October 17, 2003

Art Unit: 1614

For:

INDOLYL-3-GLYOXYLIC ACID

DERIVATIVES HAVING

THERAPEUTICALLY VALUABLE

PROPERTIES

Examiner: J. D. Anderson

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (SIDS)

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Supplemental Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

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Application No.: 10/686,809 Docket No.: ZIPH-009-102

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of non-patent literature documents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Supplemental Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Deposit Account No. 18-1945 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. ZIPH-009-102. A duplicate copy of this paper is enclosed.

Dated: July 21, 2008

Respectfully submitted,

David P. Halstead, J.D., Ph.D. Registration No.: 44,735

ROPES & GRAY LLP

One International Place

Boston, Massachusetts 02110

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant

PTO/SB/92 (01-08)
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aperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Attorney Docket No.: ZIPH-009-102

plication No. (if known): 10/686,809

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on	July 21, 2008	
	Valeo A-	Larole
	Sight Valerie J.	/ /
	Typed or printed name of	person signing Certificate
		(617) 854-2087
Registra	ation Number, if applicable	Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (1 page) (w/copy) Supplemental Information Disclosure Statement (2 pages) (w/copy) Form PTO/SB/08a/b (1 page) Copies of References (4) (CF-CI)

PTO/SB/17 (10-07)
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Fees pursuant to the Consolidate	ed Appropriation	ons Act, 2005 (H.R	. 4818).	Application Num	nber	10/686,809		
FEE TRA	NSM	ITTAL		Filing Date		October 17, 20	03	
				First Named Inv	entor	Bernd Nickel		
FOLI	FY 200	<u> </u>		Examiner Name		J. D. Anderson		
x Applicant claims small	entity status.	See 37 CFR 1.27		Art Unit		1614		
TOTAL AMOUNT OF PAYMEN	IT _	(\$) 180.00		Attorney Docket	No.	ZIPH-009-102		
METHOD OF PAYMENT	(check all t	hat apply)						
Check Credit Ca	ard n	Money Order	Nor	e Other (please ident	ify):		
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FEE CALCULATION	· OFFICE							. =
1. BASIC FILING, SEARCH	AND EXA	MINATION FEE	s	· · · · · · · · · · · · · · · · · · ·				
·	FILIN	G FEES	SEA	ARCH FEES	EXAM	NATION FEES		
Application Type	Fee (\$)	Small Entity Fee (\$)	Fee (\$	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees	Paid (\$)
Utility	310	155	510	255	210	105		
Design	210	105	100	50	130	. 65		
Plant	210	105	310	155	160	80		
Reissue	310	155	510	255	620	310		
Provisional	210	105	0	0	0	0		
2. EXCESS CLAIM FEES								Small Entity
Fee Description							<u>Fee (\$)</u>	Fee (\$)
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Each independent claim ove	r 3 (includii	ng Reissues)					210	105
Multiple dependent claims		- (0)	r., r	n=:=1 (#)		Aultinla Dananda	370	185
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HP = highest number of total clair	ns paid for, if g				<u> </u>	<u>ce (4)</u>	CC T did (¥1
Indep. Claims Extra C	Claims F	ee (\$)	Fee F	'aid (\$)				
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3. APPLICATION SIZE FEE		1 100 -1	c	(14i14		51_J		
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4. OTHER FEE(S)							<u>Fees</u>	Paid (\$)
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Other (e.g., late filing sur	rcharge): 18	306 Submissio	on of a	n information D	ISCIOSUFE	Statement	18	80.00
SUBMITTED BY	0			Designation No.				
Signature	126			Registration No. (Attorney/Agent)	44,735	Telephone	(617) 95	
Name (Print/Type) David P. I	lalstead, J	.D., Ph.D.				Date	July 21	, 2008
						· · · · · · · · · · · · · · · · · · ·		

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the date shown below with sufficient postage Box 1450, Alexandria, VA 22313-1450.	e as First Class Mail, in an envelope addressed to: I	MS Amendment, Commissioner for Patents, P.O.
7 /0 Jaco	Signature: Value 1 - Carolo	
Dated: 1/0//08	Signature: Valle J Chrose	(Valerie J. Sarosky)



PTO/SB/17 (10-07)
Approved for use through 06/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

	Effective -	n 12/08/200			Co	mplete if Know	n	
Fees pursuant to th		n 12/08/2004 Appropriati	». ons Act, 2005 (H.R. 4818)	Application	n Number	10/686,809		
FFF	TRAN	NSM	ITTAL	Filing Date)	October 17, 20	03	
				First Name	ed Inventor	Bernd Nickel		
	For F	1 ZUU	0	Examiner 1	Vame	J. D. Anderson	1	
x Applicant	claims small en	tity status.	See 37 CFR 1.27	Art Unit		1614		
TOTAL AMOUNT	OF PAYMENT		(\$) 180.00	Attorney D	ocket No.	ZIPH-009-102		
METHOD OF	PAYMENT (check all	that apply)					
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<u> </u>			account, the Director	is hereby aut	· horized to: (ch	neck all that apply)		
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	•		(s) or underpayments	. H	Credit any ove			ŭ
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Application Ty	pe	Fee (\$)	Fee (\$) Fee				Fees	Paid (\$)
Utility		310	155 ~ 51	0 255	210			
Design		210	105 10	0 50	130	65		
Plant		210	105 31	0 155	160	80		
Reissue		310	155 51	0 255	620	310		
Provisional		210	105	0 0	0	0		
2. EXCESS CLA	IM FEES							Small Entity
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Multiple depend) (Bicidali	ing Keissues)				370	185
Total Claims	Extra Cla	aime I	Fee (\$) Fe	Paid (\$)		Multiple Depende		
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3. APPLICATION If the specificat		ings excee	ed 100 sheets of pape	er (excluding	electronically	filed sequence or	computer	
listings unde	er 37 CFR 1.5	2(e)), the	application size fee	due is \$260 (\$	130 for small	entity) for each a	dditional 5	0
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4. OTHER FEE(S	•	C120 C	Z				Fees	Paid (\$)
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Other (e.g., la	ate filing surci	narge): 1	806 Submission of	an iniormati	on Disclosul	e Statement		30.00
SUBMITTED BY		7		Registration N	Vo.		10.17: 5	
Signature	DS1	16		(Attorney/Ager			(617) 95	
Name (Print/Type)	David P. Ha	ilstead, J	.D., Ph.D.			Date	July 21	, 2008
								

the date shown below with sufficient postage as First Class Hail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O.
Roy 1450 Alexandria VA 22313-1450
Dated: 7/2/108 Signature: Valle 1 Faraba (Valerie J. Sarosky)
Dated: 7/2//08 Signature: Valle J. Sarosky)

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Dated: __________

7/21/08

Signature:

(Valerie J. Sarpsyy)

Docket No.: ZIPH-009-102 (PATENT)

JUL 2 3 2008 B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:

Nickel et al.

Application No.: 10/686,809

Confirmation No.: 8786

Filed: October 17, 2003

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For:

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Registration No.: 44,735

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Attorneys/Agents For Applicant